

CITY OF SAN DIEGO  
ADMINISTRATIVE REGULATION

SUBJECT  ADMINISTRATION OF LIGHT DUTY PROGRAM	Number 75.40	Issue 2	Page 1 of 10
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1. PURPOSE

- 1.1 To establish a Light Duty Program that would enable an employee, based on medical opinion, to continue using skills and abilities that are temporarily limited by injury; to offer an alternative to deterioration of basic skills, loss of self-confidence and associated despondency that frequently results from prolonged absence from work; and to respond to medical opinion that limited work activity is, in most cases, therapeutic and can effect a faster recovery for the injured employee.
- 1.2 To define departmental responsibilities and establish procedures for administering the Light Duty Program.

2. SCOPE

- 2.1 This regulation applies to all departments.

3. POLICY

- 3.1 Employees industrially/non-industrially injured may be returned to work in a light duty or limited duty capacity, whenever possible, on the date approved by medical authority.
- 3.2 Medical, counseling and/or rehabilitation services may be provided to the employee while assigned in a light duty capacity.
- 3.3 Employees performing in a light duty or limited duty capacity shall continue to receive the regular pay of their current classification. Therefore, they shall not be eligible for Worker's Compensation Temporary Disability Benefits, Industrial Leave Pay or Long-Term Disability Benefits while in a light duty status.
- 3.4 The Risk Management Department's Rehabilitation Unit will be responsible for overseeing the administration of the Light Duty Program.

4. RESPONSIBILITIES OF THE REHABILITATION UNIT - RISK MANAGEMENT DEPARTMENT

- 4.1 To monitor the Light Duty Program and to insure compliance with the medical, departmental and rehabilitation aspects of this Administrative Regulation, Personnel Manual requirements, and the Long-Term Disability Income Plan.

(Supercedes Administrative Regulation 75.40, Issue 1, Effective April 15, 1976)

Authorized

(Signed by Rich Snapper)

PERSONNEL DIRECTOR

(Signed by John Lockwood)

ASSISTANT CITY MANAGER

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- 4.2 To insure that employees industrial/non-industrially injured are returned to work in a light duty or limited duty capacity, whenever possible, on the data approved by medical authority.
- 4.3 To provide counseling and/or rehabilitation services to employees assigned in a light duty capacity.
- 4.4 To assist appointing authorities in identifying physical or psychological limitations of light duty employees.
- 4.5 To identify and offer comprehensive rehabilitation services to employees who are permanently disabled and unable to perform the duties of their job classification.
- 4.6 Upon the voluntary request of permanently disabled employees, to work with the employees, the appointing authority and the Personnel Department to coordinate the possible transfer of the employees to other City positions for which they are physically, mentally, and vocationally qualified.
- 4.7 To maintain records and files, and to prepare appropriate reports on the Rehabilitation and the Light Duty Programs.

5. PROCEDURE

	<u>Responsibility</u>	<u>Action</u>
Injured Employee	5.1	Completes and signs a "Request for Leave of Absence for On-the-Job Disability" (Form CS-14-25B) within 24 hours of the injury, or as soon as the employee is physically able to do so, or in non-industrial cases, to complete the appropriate Long-Term Disability Claim Forms and Request for Leave of Absence Form (Form CS-14-25C).
	5.2	Obtains medical diagnosis and prognosis for light duty with all applicable work restrictions. [NOTE: No action can be taken on an Injury Leave of Absence Request or Request for Leave of Absence (CS-14-25B or CS-14-25C) until this information is obtained.] For the Long-Term Disability Program, a Return to Light Duty Work Medical Release Form (Form RM-LTD-1009) must be completed.

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Responsibility

Action

- |                           |                |   |
|---------------------------|----------------|---|
| Injured Employee (cont'd) | 5.3            | <p>a) <u>Work-Related Injuries</u> - Delivers Form CS-14-25B to department as soon as possible, but no later than the first regular workday following the injury.</p> <p>b) <u>Non-Work-Related Injuries</u> - Delivers the Long-Term Disability (LTD) Claims Application Form to the LTD Plan Administrator of the Risk Management Department and the Request for Leave of Absence Form (CS-14-25C) to the department as soon as possible. (NOTE: If the employee is incapacitated, the immediate supervisor is responsible for the above three steps.)</p>  |
| Employee's Department     | 5.4<br><br>5.5 | <p><u>Immediately</u> informs supervisor of any oral (or written) statements by the doctor, on subsequent visits, concerning the ability to return to work in a light duty capacity, or to regular job duties.</p> <p>Reviews CS-14-25B and CS-14-25C for accuracy and completeness, and completes "Department Recommendation" portion of form, if applicable.</p> <p>a) If the Doctor's Statement authorizes light duty assignment, arranges suitable light duty for the injured employee. If the projected need for light duty exceeds 30 days, notifies the Personnel Department of this action. In case of any questions concerning work restrictions or medical suitability of positions under consideration, contacts Rehabilitation Officer for clarification.</p> |

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Responsibility

Employee's Department (cont'd.)

Action

A restructured or alternate assignment will be considered to be a light duty opportunity if it meets the following criteria:

- (1) It is within any department;
- (2) It is medically suitable;
- (3) It is within a classification for which the employee meets the minimum requirements as determined by the Personnel Department;
- (4) It is anticipated to be a temporary assignment;
- (5) It fulfills a necessary job function or functions, and it enables an employee to use skills and abilities other than those which are anticipated to be temporarily limited by illness or injury.

- b) If possible and appropriate, the employee's department will provide a permanent selective placement opportunity for the employee to pursue. A restructured assignment will be considered to be a permanent selective placement opportunity if it meets the following criteria:

- (1) It is within the originating department;
- (2) It is medically suitable;
- (3) It is within the same classification as the employee's current one;
- (4) It is anticipated to meet a medical requirement that the position be available on a permanent basis;

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Responsibility

Employee's Department (cont'd)

Action

- (5) It fulfills a necessary job function or functions and it enables an employee to use skills and abilities other than those which are permanently limited by illness or injury.
- c) If light duty is authorized but not initiated by the department for any reason, prepares and sends a written report stating reasons to the assigned Deputy City Manager with a copy to the Rehabilitation Unit and Long-Term Disability Plan Administrator of the Risk Management Department, if applicable.
- d. If the employee's department is unable to initiate light duty within the department, the designated light duty or selective placement coordinator, or liaison for the department or major division, requests assistance by memorandum from the designated Personnel Liaison Analyst in the evaluation of light duty opportunities within other departments.
- In situations involving Long-Term Disability Program participants, the Long-Term Disability Administrator will also be notified and involved in this process.
- This effort should be initiated if the projected need for light duty exceeds 30 days.
- e) Establishes and maintains control records for all light duty assignments for the department's use. Provides this information to the Personnel Department, the Rehabilitation Unit and LTD Unit of the Risk Management Department by forwarding a copy of Form RM-1600 to each.

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<u>Responsibility</u>	<u>Action</u>
Employee's Department (cont'd)	If physician authorizes a light duty assignment and the department cannot provide one, the department forwards a copy of the RM-1600 form to the appropriate Deputy City Manager.
	5.6 a) <u>Work-Related Injuries</u> - Forwards original and two copies of CS-14-25B to the Rehabilitation Unit of the Risk Management Department; retains one copy for file.
	b) <u>Non-Work-Related Injuries</u> - Forwards original of Return to Light Duty medical Release Form (Form RM-LTD-1009) to the Long Term Disability Plan Administrator of the Risk Management Department; retains one copy for file.
Long-Term Disability Unit, Risk Management Department	5.7 <u>Non-Work-Related Injuries</u> - Ensures employee has submitted appropriate LTD Claim Forms, verifies eligibility for benefits, and reviews all RM-LTD-1009 forms for compliance of light duty assignment, and coordinates such assignment with the Rehabilitation Unit of the Risk Management Department.
Rehabilitation Unit, Risk Management Department	5.8 Reviews CS-14-25B for compliance of light duty assignment with the Doctor's Statement; establishes liaison with the Personnel Department, employee's department and doctor, as required.
	5.9 Establishes and maintains control records for all light duty assignment.
	5.10 Forwards all copies of CS-14-25B (and copy of departmental light duty memorandum, if applicable) to the Worker's Compensation Unit of the Risk Management Department.
Personnel Department	5.11 a) Upon request, advises the Rehabilitation Unit of the Risk Management Department of Personnel Manual requirements affecting assignment of employees to light duty.

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Action

Personnel Department (cont'd)

- b) The designated Personnel Liaison Analyst will assist the designated Light Duty Department Coordinator or Liaison in the evaluation of light duty opportunities within other departments.
- c) The Liaison Analyst evaluates the employee's education, experience, and medical condition and places the employee's name on the Light Duty Transfer Lists for appropriate classifications in accordance with the Civil Service Commission policy on transfers.
- d) Coordinates the referral of eligible employees to the appropriate light duty opportunities within other than the employee's originating department. Provides a listing of all employees available for light duty transfer to all departments for consideration.
- e) Notifies the Rehabilitation Unit and/or LTD Plan Administrator of the Risk Management Department of any proposed light duty assignment and obtains prior approval.

Workers' Compensation Unit,  
Risk Management Department

- 5.12 Determines eligibility for industrial leave for the period of time that the injured employee cannot return to work in a light duty capacity. Industrial Leave will not be approved for any period of time that light duty is authorized by the treating doctor and offered by the employing department.

Injured Employees'  
Review Committee

- 5.13 a) Reviews situations in which employees' names are on the Light Duty Transfer List for in excess of 90 days and evaluates the appropriateness of continuing in such a status.

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<u>Responsibility</u>		<u>Action</u>
Injured Employees' Review Committee	b)	Reviews situations in which employees are involved in a light duty assignment for more than 90 days and evaluates the appropriateness of continuing in such a status.
	c)	Informs the City Manager of any recommendations regarding these situations.
City Manager	5.14	Informs Department Heads of the recommended action.
Workers' Compensation Unit, Risk Management Department	5.15	Maintains medical control in accordance with Administrative Regulation 62.00 "Administration of Workers' Compensation Liabilities".
Long-Term Disability Unit, Risk Management Department	5.16	Determines eligibility for Long-Term Disability Benefits for the period of time that the disabled employee cannot return to work in a light duty capacity. Long-Term Disability Benefits will not be approved for any period of time that light duty is authorized by the treating doctor and offered by the employing department.
Employee's Department	5.17	Notifies the Rehabilitation Unit and/or LTD Plan Administrator of the Risk Management Department of any proposed changes in light duty assignment and obtains prior approval.
Employee's Department (cont)	5.18	Returns the employee to unrestricted duty on the date specified by the doctor; notifies the Rehabilitation Unit of the Risk Management Department of action.
Rehabilitation Unit, Risk Management Department	5.19	Makes appropriate entries in records and files; advises the Workers' Compensation Unit and LTD Plan Administrator of the Risk Management Department, if applicable, and prepares required reports on the Light Duty Program.
	5.20	Arranges for vocational rehabilitation evaluation for employees who are permanently disabled and unable to perform the duties of their job classification.



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Action

Rehabilitation Unit,  
Risk Management Department  
(cont'd.)

5.21 Upon the voluntary request of permanently disabled employees, initiates appropriate action which is designed to allow for the transfer to other City positions for which they are physically, mentally, and vocationally qualified.

A restructured or alternate assignment will be considered to be a rehabilitation transfer opportunity if it meets the following criteria:

- a) It is within any department;
- b) It is medically suitable;
- c) It is within a classification that permits a lateral class or voluntary demotional class transfer;
- d) It is anticipated to meet a medical requirement that the position be available on a permanent basis;
- e) It fulfills a necessary job function or functions, and it enables an employee to use skills and abilities other than those which are permanently limited by illness or injury;
- f) The Rehabilitation Coordinator and the Personnel Liaison Analyst determine that the transfer classification is appropriate and in accordance with the Civil Service Commission policy on transfers.

(The procedures contained in Administrative Regulation 70.50, "Administrative of Vocational Rehabilitation Program", will be followed to achieve a rehabilitation transfer).

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APPENDIX

Legal References

1. Personnel Manual, Index Code I-4 (Industrial Leave)
2. Personnel Manual, Index Code H-3 (Out-of-Class Assignments)
3. Administrative Regulation 62.00 (Administration of Workers' Compensation Liabilities)
4. Administrative Regulation 75.30 (Accident/Injury Investigation)
5. Long-Term Disability Plan Document, Resolution No. 254623
6. Administrative Regulation 70.50 (Administrative of Vocational Rehabilitation Program)

Forms Involved

1. Request for Leave of Absence for On-the-Job Disability (CS-14-25B)
2. Request for Leave of Absence (CS-14-25C)
3. Return to Light Duty Work Medical Release (RM-LTD-1009)
4. Light Duty Evaluation Form (RM-1600)
5. Long-Term Disability Claim Application Form

Subject Index

Injury; Light Duty; Personnel; Long-Term Disability

Administering Department

Risk Management Department

CITY OF SAN DIEGO  
LIGHT DUTY EVALUATION

\*PART A - PERSONNEL INFORMATION (PLEASE PRINT)

EMPLOYEE NAME \_\_\_\_\_ DATE OF INJURY \_\_\_\_\_  
CREW/JOB \_\_\_\_\_ CLASS \_\_\_\_\_  
PRINCIPAL SUPERVISOR \_\_\_\_\_ JOB DUTIES \_\_\_\_\_  
SENIOR SUPERVISOR \_\_\_\_\_

INJURY ☐ ON THE JOB ☐ OFF THE JOB (CHECK ONE)

TYPE OF INJURY OR ILLNESS: \_\_\_\_\_

\*\*\*PART B - MEDICAL RESTRICTIONS (FROM FORM CS-14-25B)

MAXIMUM LIFTING WEIGHT \_\_\_\_\_ LBS. MAXIMUM CARRYING WEIGHT \_\_\_\_\_ LBS.  
WORKING POSITION RESTRICTIONS (CHECK IF ANY) OTHER RESTRICTIONS: \_\_\_\_\_

☐ NO KNEELING ☐ NO BENDING  
☐ NO STANDING ☐ NO SITTING

☐ YES ☐ NO OPERATE MOTIVE EQUIPMENT  
☐ YES ☐ NO OPERATE POWER TOOLS

PROJECTED RETURN TO REGULAR DUTIES DATE: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

\*\*\*PART C - LIGHT DUTY ASSIGNMENT

LIGHT DUTY ☐ IS ☐ IS NOT AVAILABLE AT THIS TIME (IF NOT AVAILABLE, SEND MEMO  
TO DEPUTY CITY MANAGER AND  
PERSONNEL LIAISON ANALYST)

COMMENTS/REASON: \_\_\_\_\_

☐ LIGHT DUTY APPROVED FOR PERIOD \_\_\_\_\_ TO \_\_\_\_\_  
REPORT TO \_\_\_\_\_ AT \_\_\_\_\_ ON \_\_\_\_\_  
SUPERVISOR TIME DATE

DEPT/DIV.: \_\_\_\_\_ WORK LOCATION: \_\_\_\_\_

\_\_\_\_\_  
LIGHT DUTY COORDINATOR

\*PART A - to be completed by employee

\*\*\*PART B and C - to be completed by coordinator

City of San Diego  
LONG-TERM DISABILITY INCOME PLAN  
1200 Third Avenue, Suite 1000  
San Diego, California 92101  
(619) 236-5968

**RETURN TO LIGHT DUTY MEDICAL RELEASE**

Instructions: To be completed by your attending physician and submitted to your immediate supervisor.

Note: A fully completed medical release must be reviewed and approved by your department/division's appointing authority *prior* to your return to light duty.

Ref: Administrative Regulation 75.40  
LTD Plan Document

This is to certify that \_\_\_\_\_  
has now recovered sufficiently to be able to return to work in a temporary light-duty capacity from \_\_\_\_\_ to \_\_\_\_\_.  
Specific physical restrictions and/or other guidance are \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approximate return to full duty (regular duties) date \_\_\_\_\_

Physician's Name \_\_\_\_\_  
(PRINT OR TYPE)

\_\_\_\_\_  
PHYSICIAN'S SIGNATURE

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

**LTD OFFICE USE ONLY**

Reviewed By \_\_\_\_\_

Date \_\_\_\_\_

Will employee be assigned to light duty? Yes \_\_\_\_\_ No \_\_\_\_\_

Date \_\_\_\_\_

Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Proposed Changes of Light Duty A.R.

- A. Both industrially and non-industrially injured individuals are eligible.
- B. Time limits imposed:
  - 1. Projected need for light duty should exceed 30 days to permit other than originating department to consider for selective placement or light duty position.
  - 2. Situations in which people are on the light duty transfer list for in excess of 90 days will be reviewed by Injured Employees Review Committee to allow for evaluation of appropriateness of continuing in such a status.
  - 3. The committee will evaluate the appropriateness of an individual continuing in a light duty assignment for more than 90 days.
  - 4. A restructured or alternate assignment will be considered to be a light duty opportunity if it meets the following criteria:
    - (a) It is within any department;
    - (b) It is medically suitable;
    - (c) It is within a classification for which the employee meets the minimum requirements as determined by the Personnel Dept.;
    - (d) It is anticipated to be a temporary assignment;
    - (e) It fulfills a necessary job function or functions and it enables an employee to use skills and abilities other than those which are anticipated to be temporarily limited by illness or injury.
  - 5. A restructured assignment will be considered to be a permanent selective placement opportunity if it meets the following criteria:
    - (a) It is within the originating department;
    - (b) It is medically suitable;
    - (c) It is within the same classification as the employee's current one;
    - (d) It is anticipated to meet a medical requirement that the position be available on a permanent basis;
    - (e) It fulfills a necessary job function or functions and it enables an employee to use skills and abilities other than those which are permanently limited by illness or injury.

6. A restructured or alternate assignment will be considered to be a rehabilitation transfer opportunity if it meets the following criteria:
  - (a) It is within any department;
  - (b) It is medically suitable;
  - (c) It is within a classification that permits a lateral or voluntary demotional transfer;
  - (d) It is anticipated to meet a medical requirement that the position be available on a permanent basis.
  - (e) It fulfills a necessary job function or functions and it enables an employee to use skills and abilities other than those which are permanently limited by illness or injury.
  - (f) The Rehabilitation Coordinator and the Personnel Liaison Analyst determine that the transfer classification is appropriate and in accordance with Civil Service Commission policy on transfers.

(The procedures contained in A. R. 70.50, Administration of Vocational Rehabilitation Program, will be followed to achieve a rehabilitation transfer).

- C. Each department will designate one staff member as the light duty and selective placement coordinator or liaison for the department. This person will be responsible for reviewing and approving the CS-14-25B or C forms. This person will then be responsible to discuss the necessary job environment modifications or functional or emotional capacities with the Rehabilitation Coordinator, Long Term Disability Plan Administrator, Personnel Liaison, and Department Director to allow for an evaluation of the light duty/selective placement potential for the injured employee. This person will also tract this information for the department.
- D. If provisions of light duty or selective placement within the department is not possible, consideration for light duty transfer to another department will be made. Personnel liaisons will assist all department s in the identification of positions which may permit light duty or selective placement assignments to be accomplished. The personnel liaison analysts will evaluate each person referred by the department light duty/selective placement coordinator to identify appropriate positions with other departments for consideration. In situations involving Long Term Disability program participants, the Long Term Disability Administrator will also be involved in this determination.

If a job analysis of the position under consideration is necessary, or if the development of other pertinent information regarding the medical suitability of the position is needed, the Rehabilitation Coordinator will perform this function.

## 1/9/84 Committee Meeting Answers to Questions

1. If a person pursues a light duty opportunity and is working out-of-class at either above or below the regular classification, will they experience a change in salary level or pay status? Does Personnel Manual Section, Index Code H-3, regarding out-of-class assignments apply?

Yes, Index Code H-3 does apply and the outlined procedure should be followed.

2. If a person pursues a temporary light duty position with a department other than originating one, how is he/she carried on whose books? Originating department or new department pays salary?

The originating department pays the salary and maintains responsibility to carry the individual on their books. A paper transfer may occur at the end of the fiscal year, however.

3. Who has responsibility for tracking status of light duty employees? Department? Rehabilitation Coordinator? L.T.D. Administrator? Shared? Who informs whom of status?

The Rehabilitation Coordinator will continue to be responsible to track the status of all City employees involved in the light duty process. The L.T.D. Administrator will also track the status for LTD eligibles.

Each department is responsible for tracking the status of its employees. While this information will be used primarily by the department, it will be provided to the Personnel Department, the Rehabilitation Unit, and/or the L.T.D. unit upon request. This will allow all involved parties to confirm information.

4. How shall the term "treating physician" be defined? If disputes develop with regards to conflicting medical opinions about employees' ability to return to light duty, appropriateness of positions under consideration, specific limitations which should be considered, etc. who resolves these questions or disagreements?

These types of disputes will continue to be resolved by the involved Workers' Compensation adjuster or administrator or the L.T.D. Plan Administrator.

5. How will the committee determine the appropriateness of a person remaining on transfer list for in excess of 90 days and being in a light duty position for in excess of 90 days? Do involved parties have to follow committee recommendations? How are these enforced?

These situations will be evaluated objectively by the committee members and the determinations and recommendations will be made on a case-by-case basis in consideration of the relevant circumstances. It therefore appears likely that the involved parties will agree with and follow the committee recommendations. If a disagreement occurs, the City Manager's Office will insure that appropriate recommendations are followed.

6. Number 5C is not currently being done by departments. Should it be required? If so, how is this to be enforced?

Yes, it will be required. The City Manager's Office maintains authority to enforce all aspects of this Administrative Regulation.